

1626



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July 12, 2002



Commissioner for Patents  
Washington, D.C. 20231

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JUL 15 2002

TECH CENTER 1600/2900

Re: U. S. Patent Appl. No. 09/994,927  
Filed: November 28, 2001  
For: **Bisubstituted Carbocyclic Cyclophilin Binding  
Compounds and Their Use**  
Inventors: HAMILTON *et al.*  
Our Ref: 03166.0029.NPUS02

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. Information Disclosure Statement;
2. Form PTO-1449 (3 pages) with 92 attached references; and
3. Return postcard.

It is respectfully requested that the attached postcard be stamped with the filing date of these documents and returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No.08-3038 referencing docket number 03166.0029.NPUS02. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned. A duplicate copy of this letter is enclosed.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'Michael J. Belf'.

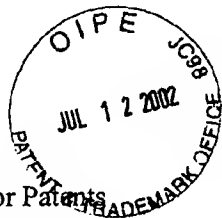
Michael J. Belf (Reg.No. 39,604)  
Michael J. Stimson (Reg. No. 45,429)

Enclosures



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Respectfully submitted,

Michael J. Bell (Reg.No. 39,604)

Michael J. Stimson (Reg. No. 45,429)

Enclosures



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

7/ Prior Art  
RECEIVED

JUL 15 2002

TECH CENTER 1600/2900

In re application of:  
HAMILTON, Gregory S., *et al.*

Appl. No. 09/994,927

Filed: November 28, 2001

For: **Bisubstituted Carbocyclic Cyclophilin  
Binding Compounds and Their Use**

Art Unit: To be assigned

Examiner: To be assigned

Attorney Docket: 03166.0029.NPUS02

But  
7-24-02

### Information Disclosure Statement

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted

herewith. It is further understood that the Examiner will consider information that had been cited by or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

Applicants have checked the appropriate boxes below.

- ☒ 1. This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No statement under 37 C.F.R. § 1.97(e) or fee is required, or
- ☐ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance, or action that otherwise closes prosecution in the application, and
- ☐ a. I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1), or
- ☐ b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2), or
- ☐ c. Attached is our Check No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ in payment of the fee under 37 C.F.R. § 1.17(p).
- ☐ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but on or before payment of the Issue Fee. Attached is our Check No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ in payment of the fee under 37 C.F.R. § 1.17(i), and

- ☐ a. I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1), or
- ☐ b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ 4. Relevance of the non-English language document(s) is discussed in the present specification.
- ☐ 5. The document(s) was/were cited in a corresponding foreign application. An English language version of the foreign search report is attached for the Examiner's information.
- ☐ 6. A concise explanation of the relevance of the non-English language document(s) appears below:
- ☐ 7. The Examiner's attention is directed to co-pending U.S. Patent Application No. \_\_\_\_\_, filed \_\_\_\_\_, which is directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.
- ☐ 8. Copies of the documents were cited by or submitted to the Office in Application No. \_\_\_\_\_, filed \_\_\_\_\_, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3038 referencing docket number 03166.0029.NPUS02.

Respectfully submitted,

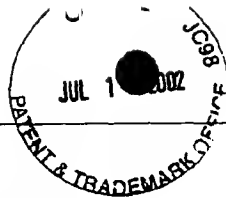
A handwritten signature in black ink, appearing to read "Michael J. Bell", with a stylized flourish extending to the right.

Michael J. Bell (Reg.No. 39,604)

Michael J. Stimson (Reg. No. 45,429)

Date: July 12, 2002

HOWREY SIMON ARNOLD & WHITE, LLP  
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(202) 783-0800

FORM PTO-1449  
INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO. 03166.0029.NPUS02

APPLICATION NO. 09/994,927

APPLICANT HAMILTON *et al.*

FILING DATE November 28, 2001

GROUP 1645

## U.S. PATENT DOCUMENTS

EXAMINER INITIALS	REF. NO.	DOCUMENT NUMBER	GRANT DATE	FIRST NAMED INVENTOR	CLASS	SUB-CLASS	FILING DATE
	AA1	2328490	8/31/43	Pöhls			
	AB1	2333552	11/2/43	Pöhls			
	AC1	2395484	2/26/46	Jennings			
	AD1	2635535	4/21/53	Jennings			
	AE1	2714613	8/2/55	Huebner			
	AF1	3673241	6/27/72	Marxer			
	AG1	3821200	6/28/74	Stingl			
	AH1	3829463	8/13/74	Kornis			
	AI1	3829464	8/13/74	Kornis			
	AJ1	3867426	2/18/75	Olin			
	AK1	3872157	3/18/75	Brokke			
	AL1	3880642	4/29/75	Baker			
	AM1	3937729	2/10/76	Teach			
	AN1	3941581	3/2/76	Teach			
	AO1	3962306	6/8/76	Kuhle			
	AP1	3981914	9/21/76	Mutsch			
	AQ1	4031127	6/21/77	Leone			
	AR1	4041070	8/9/77	Asato			
	AS1	4044147	8/23/77	Nelson			
	AT1	4072711	2/7/78	Asato			
	AU1	4111682	9/5/78	Gutman			
	AV1	4225708	9/30/80	Kanbe			
	AW1	4238503	12/9/80	Teach			
	AX1	4245037	1/13/81	Tsujino			
	AY1	4255511	3/10/81	Hirano			
	AZ1	4266013	5/5/81	Adachi			
	BA1	4328165	5/4/82	Schirmer			
	BB1	4328367	5/4/82	Nagase			
	BC1	4373017	2/8/83	Masukawa			
	BD1	4387106	6/7/83	De Vries			
	BE1	4405644	9/20/83	Kabbe			
	BF1	4410697	10/18/83	Török			
	BG1	4426222	1/17/84	Brorschewski			

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT				ATTY. DOCKET NO. 03166.0029.NPUS02		APPLICATION NO. 09/994,927	
				APPLICANT HAMILTON <i>et al.</i>			
				FILING DATE November 28, 2001		GROUP 1645	
U.S. PATENT DOCUMENTS							
EXAMINER INITIALS	REF. NO.	DOCUMENT NUMBER	GRANT DATE	FIRST NAMED INVENTOR	CLASS	SUB- CLASS	FILING DATE
	AA2	4435567	3/6/84	Lugosi			
	AB2	4473579	9/25/84	De Vries			
	AC2	4536341	8/20/85	Rigterink			
	AD2	4544654	10/1/85	Davey			
	AE2	4608082	8/26/86	Craig			
	AF2	4623662	11/18/86	De Vries			
	AG2	4629739	12/16/86	Davey			
	AH2	4711905	12/8/87	Sirrenberg			
	AI2	4820871	4/11/89	Kissener			
	AJ2	4855478	8/8/89	Woolard			
	AK2	4868210	9/19/89	Trivedi			
	AL2	4959500	9/25/90	Schleifstein			
	AM2	5003106	3/26/91	DeVries			
	AN2	5015644	5/14/91	Roth			
	AO2	5015762	5/14/91	Schirmer			
	AP2	5030653	7/9/91	Trivedi			
	AQ2	5091571	2/25/92	Lee			
	AR2	5099059	3/24/92	Baker			
	AS2	5130481	7/14/92	Khanna			
	AT2	5166429	11/24/92	Ito			
	AU2	5187270	2/16/93	Bernatowicz			
	AV2	5198582	3/30/93	Oh			
	AW2	5250701	10/5/93	Abraham			
	AX2	5250717	10/5/93	Knapp			
	AY2	5276182	1/4/94	Cardin			
	AZ2	5283362	2/1/94	Hackl			
	BA2	5288914	2/22/94	Kirchhoff			
	BB2	5302742	4/12/94	Landscheidt			
	BC2	5315011	5/24/94	Benicewicz			
	BD2	5326856	7/5/94	Coughlin			
	BE2	5331004	7/19/94	Denny			
	BF2	5384425	1/24/95	Ito			
	BG2	5414118	5/9/95	Yosizato			
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	AA3	5432191	7/11/95	Abraham			
	AB3	5451677	9/19/95	Fisher			
	AC3	5559150	9/24/96	Soll			
	AD3	5567831	10/22/96	Li			
	AE3	5576335	11/19/96	Sueda			
	AF3	5585518	12/17/96	Marschner			
	AG3	5612378	3/18/97	Tianbao			
	AH3	5614550	3/25/97	Yoshida			
	AI3	5621010	4/15/97	Sueda			
	AJ3	5624937	4/29/97	Reel			
	AK3	5661182	8/26/97	Abraham			
	AL3	5719320	2/17/98	Jinbo			
	AM3	5723075	3/3/98	Hayasaka			
	AN3	5849732	12/15/98	Suzuki			
	AO3	5858327	1/12/99	Pollak			
	AP3	5986044	11/16/99	Cardin			
	AQ3	5994398	11/30/99	John			
	AR3	6005008	12/21/99	Widdowson			
	AS3	6093742	7/25/00	Salituro			
	AT3	6028223	2/22/00	Ruminski			
	AU3	6043284	3/28/00	Arrowsmith			
	AV3	6054457	4/25/00	Setoi			
	AW3	6083986	7/4/00	Castle			
	AX3	6121323	9/19/00	Merrill			
	AY3	6133319	10/17/00	Widdowson			

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIALS	REF. NO.	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AZ3	WO99/15164	4/1/99	PCT			<input type="checkbox"/> Yes <input type="checkbox"/> No

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.